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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/527,967	09/26/2005	Johann Ambrosi	740612-193	7462

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LAW OFFICES OF STUART J. FRIEDMAN  
28930 RIDGE ROAD  
MT. AIRY, MD 21771

EXAMINER

RIPLEY, JAY R

ART UNIT	PAPER NUMBER
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3679

MAIL DATE	DELIVERY MODE
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01/18/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	Application No. 10/527,967	Applicant(s) AMBROSI, JOHANN	
	Examiner JAY R. RIPLEY	Art Unit 3679	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.138(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 17 December 2007.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 6-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 6-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input checked="" type="checkbox"/> Other: <u>Attachment A</u>                       |

### **DETAILED ACTION**

Claims 6-10 are pending. No claims have been withdrawn. Claims 1-5 have been cancelled.

#### ***Claim Objections***

Claim 8 is objected to because in line 4, "cam ring.." should be --cam ring.-- (the second period should be removed).

#### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 9 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In regard to claim 9, the phrase "slightly greater than" is recited in lines 2-3. It is unclear as to what determines that something, in the instant case the phrase concerns a distance versus width, is "slightly greater than" something else. In other words, what is "slightly" to one may not be "slightly" to another.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 6-10 are rejected under 35 U.S.C. 102(b) as being anticipated by Horimoto (U.S. 5,857,713).

At the outset, it is noted that the ninth embodiment of the invention of Horimoto, as shown in Figures 18-19, is identical to the sixth embodiment, as shown in Figures 9-14, with the exception of the lock mechanism and associated structure (column 13, lines 14-18).

In regard to claim 1, Horimoto discloses in Figure 10 and Figure 19, the figures shown below, a symmetrical hose coupling comprising

a pair of like coupling members (1a and 1b, as observed in Figure 19, below),

each of the coupling members having a cylindrical hose attachment connector (4) and a cam ring integrally formed with the cylindrical hose attachment connector (as observed in Figure 19, below),

the cam ring having a plurality of integral cams (8) arranged on the periphery of the cam ring and projecting from the cam ring (the slots noted in Figure 19, below and in Attachment A, result in the cams projecting radially from the cam ring - the blocking means appears to be positioned by the slots - note that the slots "bottom", radially inner surface, is the outer radial surface of the cam ring), the cams being hook-shaped in a tangential direction of the cam ring and each having a radial surface area (9 in Figure 10) for transmitting an axial force, and the

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cams of the coupling members engaging into each other during coupling such that the radial surface areas engage behind each other (the coupling members engage each other in the recited fashion as indicated in column 13, lines 19-34).

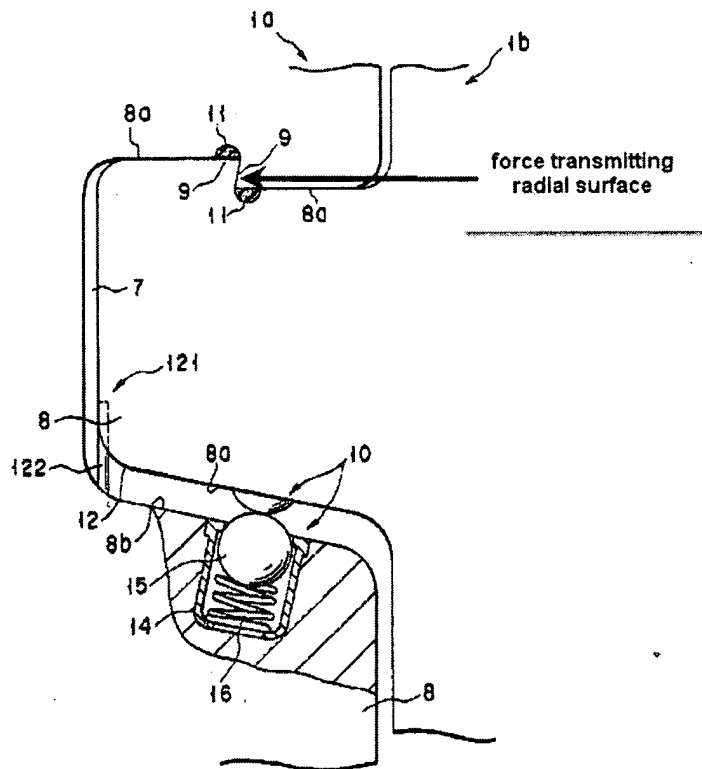
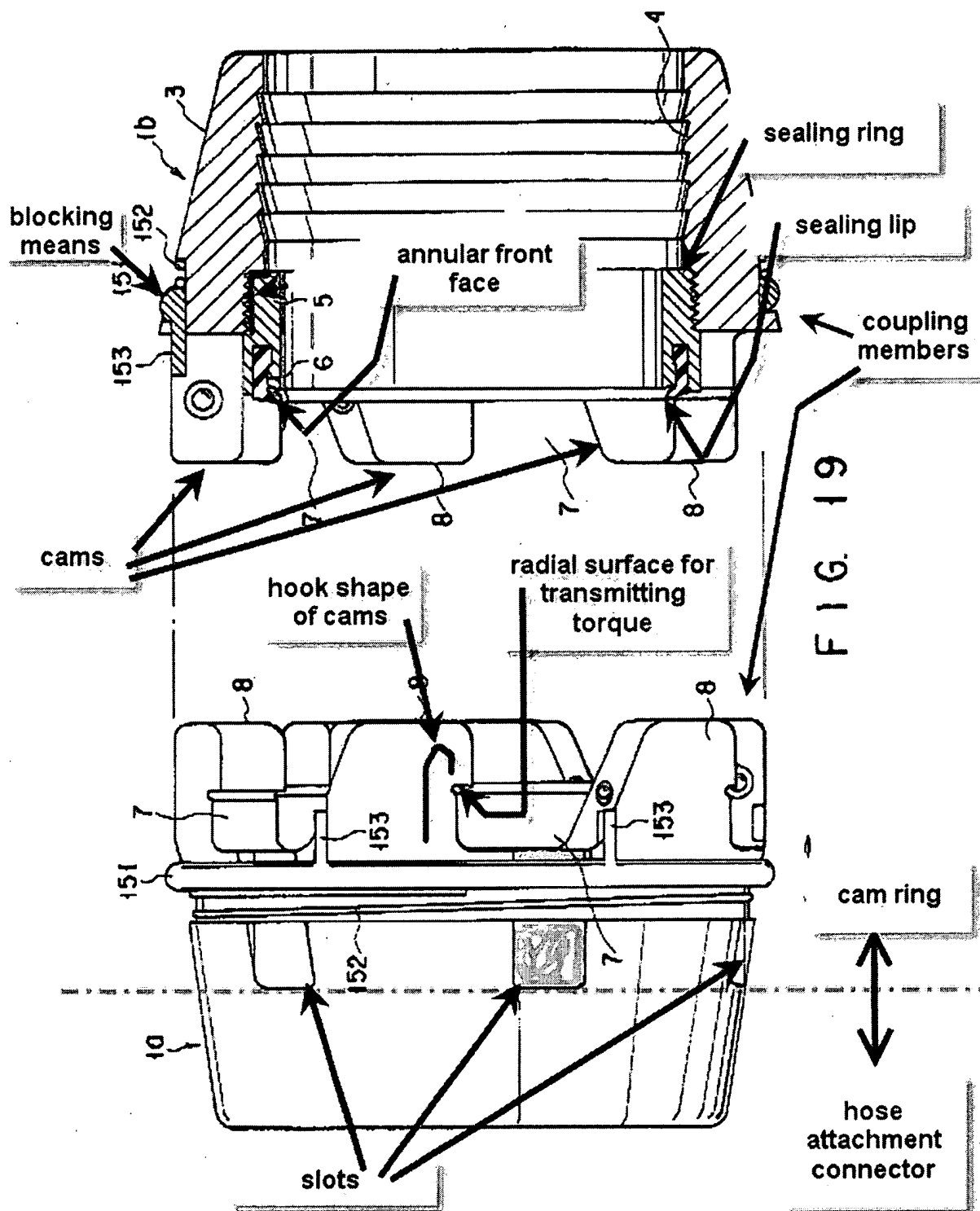


FIG. 10

(Horimoto Figure 10)

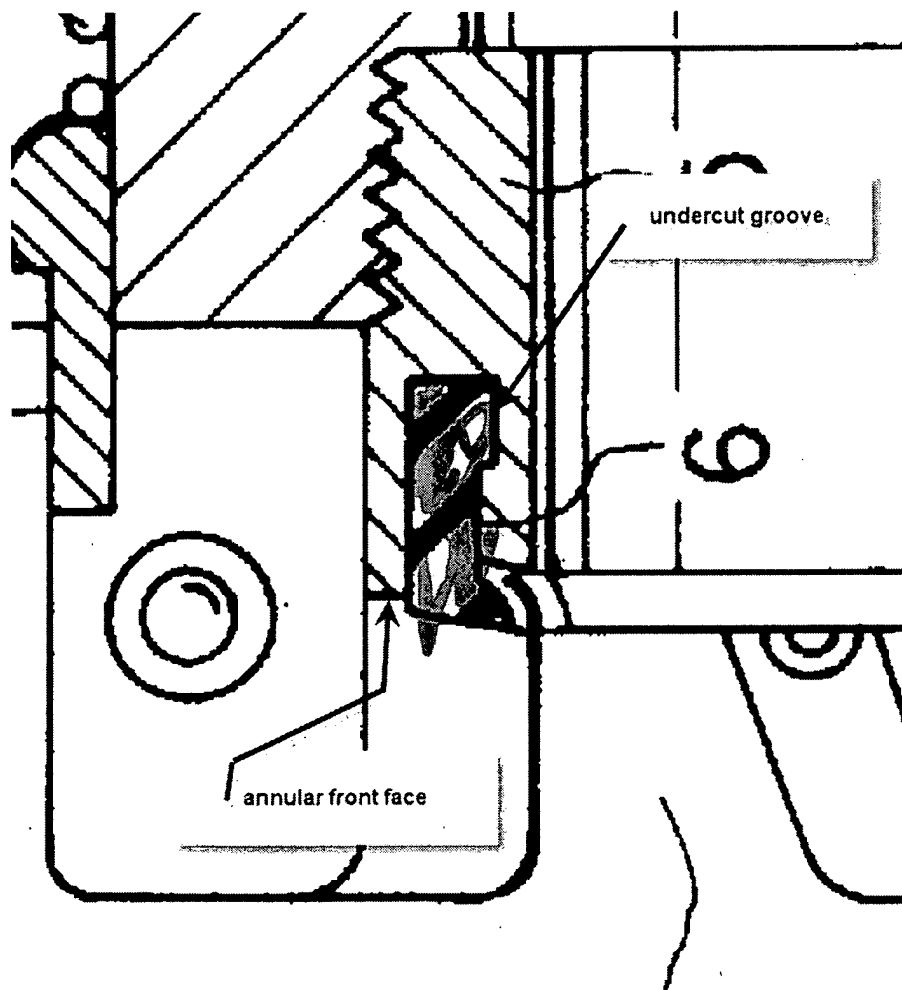


(Horimoto Figure 19)

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In regard to claim 7, Horimoto further discloses that the radial surface areas of the cams are inclined in relation to the tangential direction (column 8, lines 26-30, and observed in Figure 10, above).

In regard to claim 8, Horimoto further discloses, in Figure 19, above, and close-up of Figure 19, below, that the cam ring has an annular front face radially inwardly of the cams and an annular undercut groove is recessed in the annular front face for receiving a shaped sealing ring having a sealing lip which protrudes axially beyond the front face of the cam ring.



(close-up of Horimoto Figure 19)

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In regard to claim 9, as best understood, Horimoto further discloses that the cams are arranged at distances from each other in a peripheral direction, whereby the distance in the peripheral direction between two neighboring cams is only slightly greater than the width of the cams in the peripheral direction (column 13, lines 19-34, - also, as the identically shaped cams appear to be equidistantly located about the circumference of the cam ring, the physical relationship of the cams being spaced apart a distance greater than the cam's width would be a necessity to allow axial mating of the coupling members).

In regard to claim 10, Horimoto further discloses that a blocking means (lock claws 153 as observed in Figure 19, above, and as disclosed in column 13, lines 19-34) are provided for locking the pair of coupling members with each other in a coupled condition.

### ***Response to Arguments***

Applicant's arguments filed 17 December 2007 have been fully considered but they are not persuasive.

Concerning the Applicant's assertion on page 5, lines 15, of the reply filed 17 December 2007 in regard to the 35 U.S.C. 112, second paragraph, rejection of claim 9, that one skilled in the art can readily determine whether the recited peripheral distance is only slightly greater than the "width of the cam", the argument is not persuasive. In this regard, it should first be noted that applicant has failed to identify what part of the disclosure is being relied upon to support the "slightly greater" recitation. The Examiner cannot find this term anywhere in the original disclosure. Rather, what is found is "somewhat wider" on page 4, lines 2-5, of the original disclosure. Further, the original drawings appear to show a gap that is



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substantially greater than what one would normally consider as "slightly". For example, original Figures 4-6 appear to show gaps approaching 50% or more of the width of the cam. Thus, neither the illustrated gap nor the disclosed gap appear to define or support the recitation of "slightly greater".

Second, the original specification in page 4, lines 2-6, discloses that the gaps are "somewhat wider" so that the cams of the two coupling halves "may engage into each other for coupling purposes". There is no discussion or disclosure that such gaps must provide "only a small clearance" as is now alleged in page 5, lines 13-15, of the reply filed 17 December 2007.

Accordingly, it appears that not only is "slightly greater" undefined, but the interpretation and meaning of such, as argued by the applicant, is not supported by the original disclosure and thus it would appear that the applicant is relying on new matter in an attempt to avoid the 35 U.S.C. § 112, second paragraph, rejection.

Concerning the Applicant's discussion of the merits and intended use of the instant invention in pages 5 and 6 of the reply filed 17 December 2007, the argument is not persuasive. Patentability of a product is determined by the language of the claims and is not based upon the supposed merits and/or intended use of the disclosed invention.

Concerning the Applicant's assertion starting in page 6, line 9, of the reply filed 17 December 2007, that the prior art of Horimoto (U.S. 5,857,713) does not teach or suggest cams that project radially from a cam ring, the argument is not persuasive. As can be observed in Horimoto Figure 19, see Attachment A, the slots as first noted in page 7 of the Office action mailed 06/19/2007 result in the cams of Horimoto projecting radially from the noted cam ring. As specifically noted in Attachment A, Figure 19 shows "side" surfaces (shaded in

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Attachment A) of the noted slots, thereby further buttressing the interpretation that the cams of Horimoto project radially from the cam ring. The Examiner notes that the cam ring outer circumference is the "bottom" radial surface of the noted "slots".

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jay R. Ripley whose telephone number is 571-272-7535. The examiner can normally be reached on 01:00 P.M. - 8:00 P.M. .

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P. Stodola can be reached on 571-272-7087. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



J. R. Ripley

1/15/2008



DANIEL P. STODOLA  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3600

# ATTACHMENT A.

U.S. Patent

Jan. 12, 1999

Sheet 17 of 20

5,857,713

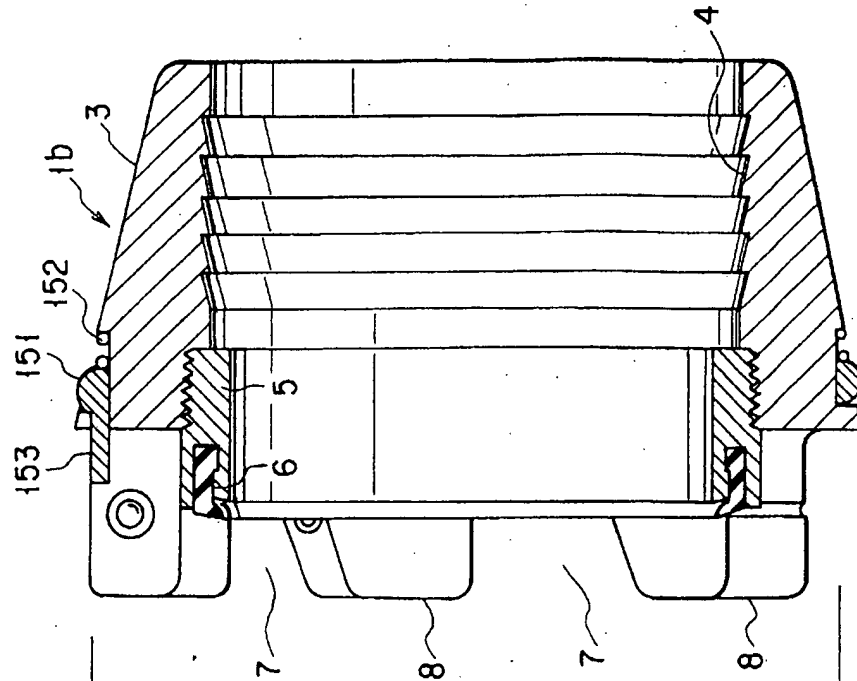
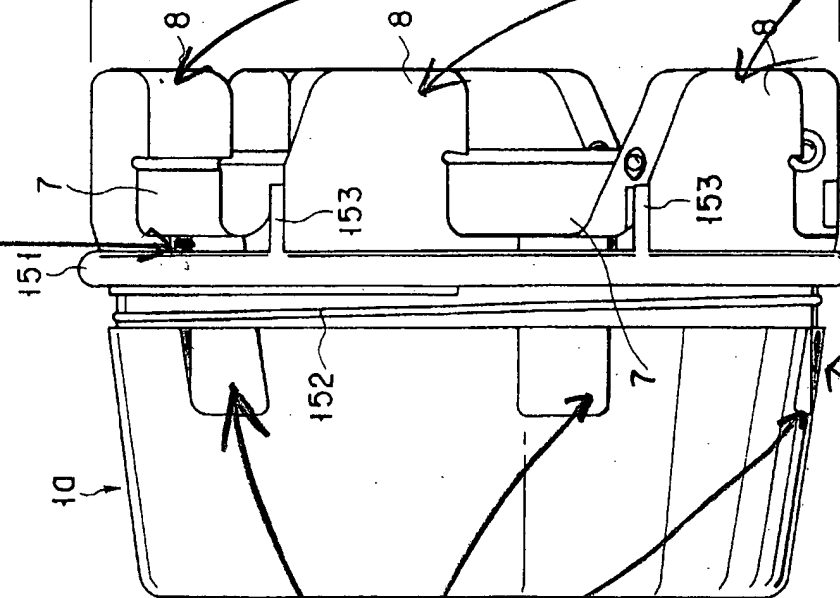


FIG. 19

CAMS

NOTE  
"SIDE"  
SURFACE  
(SHADED)



NOTE  
"SIDE" SURFACE  
(SHADED)

SLOTS RESULTS IN CAMS  
PROJECTING RADIALLY FROM  
CAM RING.